IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

&

THE HONOURABLE MR. JUSTICE V.K.MOHANAN

TUESDAY, THE 6TH NOVEMBER, 2007 / 15TH KARTHIKA, 1929

FAO.No. 173 of 2004

(AS.34/2003 of COURT OF SUBORDINATE JUDGE, NEDUMANGAD
OS.608/1999 of ADDL.MUNSIFF'S COURT,NEDUMANGAD)

.....

APPELLANTS/RESPONDNETS 1 & 2/DEFENDANTS 1 & 2:

---

1. NANNATTUKAVU MUSLIM JAMA-ATH, POTHENCODE, REPRESENTED REPRESENTED BY ITS SECRETARY.

2. THE PRESIDENT, NANNATTUKAVU MUSLIM JAMA-ATH, POTHENCODE.

BY ADV. SRI.ESM.KABEER

RESPONDENTS/APPELLANT/RESPONDENTS 3 TO 27/
PLAINTIFF & ADDL.DEFENDANTS 3 TO 27:

---

1. BAHAVUDHEEN, AGED 60 YEARS, S/O. KASSIMKUNJU LABBAH, VILAYIL VEEDU, THEEPUKAL MURI, VEMBAYAM VILLAGE, NEDUMANGAD TALUK.

2. ALIYAR KUNJU, AGED 60 YEARS, S/O. ABDUL RAZAK, CHIRAYIL VEEDU, NANNATTUKAVU, POTHENCODE, THIRUVANANTHAPURAM.

3. NAZEER, AGED 36, S/O. MOHAMMED HANEEFA, NAZEER MANZIL, PALLINADA, POTHENCODE.

4. A. MOHAMMED ISMAIL, AGED 63, S/O. APPU RAWTHER, DALMA RESIDENCE, PTHENCODE.

5. MYTHEEN PICHA, AGED 42, S/O. EASUKUNJU, SHIMMA MANZIL, PLAMOODU, POTHENCODE.

6. ABDUL SALAM, AGED 47, S/O.ALIYARUKUNJU MELEKADA VEEDU, AYIROOPPARA VILLAGE, POTHENCODE.

7. SAINULABDEEN, AGED 40, S/O.ALIYARUKUNJU, VILAYIL VEEDU, AYIROOPPARA VILLAGE, POTHENCODE.

8. SHANAVAS, AGED 39, S/O. MOHAMMED KUNJU, ROSE COTTAGE, AYIROOPPARA VILLAGE, POTHENCODE.

24. ABDUL AZEEZ, AGED 40, S/O.MAITHEEN KUNJU, AZEEM MAZNIL, POOLANTHARA, THEEPUKAL, KOLIYAKKODE VILLAGE, KOLIAKODE.P.O.

25. ABDUL RAZACK, S/O.SULTHANPILLAI, AGED 78, KUNNUMPURATHU VEEDU, NANNATTUKAVU, VEMBAYAM VILLAGE, POTHENCODE.P.O.

26. SAIFUDEEN, S/O.ABDUL RAZACK, AGED 50, PAROTTUKONAM VEEDU, NANNATTUKAVU, POTHENCODE.P.O.

BY ADV. SRI.R.S.KALKURA

THIS FIRST APPEAL FROM ORDERS HAVING BEEN FINALLY HEARD ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN & V.K.MOHANAN, JJ.

F.A.O.No. 173 of 2004

Dated this the 6th day of November, 2007

J U D G M E N T

Raman,J:

It is submitted by the learned counsel for the appellants that since the matter has been settled between the parties, they are not seeking any relief in this appeal. The appeal is, accordingly, dismissed. If either of the parties want any relief based on the compromise, if any, entered between the parties, it is open to them to file such application before the court below, if they are so advised and the dismissal of this appeal will not stand in the way of such right.

The appeal is dismissed as settled out of court.

P.R.RAMAN,
Judge

V.K.MOHANAN,
Judge

Mbs/

V.K.MOHANAN, J.

O.P.NO. OF 2001

J U D G M E N T

DATED: -0-2007